

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6009-CIV-DIMITROULEAS  
MAGISTRATE JUDGE SORRENTINO

ROSS JAY LAWSON,

Plaintiff,

v.

KEN JENNE, WILLIAM  
HITCHCOCK, BROWARD  
COUNTY DEPARTMENT OF  
CORRECTIONS AND REHAB.,

Defendants.

**DEFENDANTS RESPONSE TO PLAINTIFF'S MOTION FOR  
RECONSIDERATION OR REHEARING OF THIS COURT'S FINAL  
JUDGMENT AND ORDER DISMISSING CASE AS MOOT**

Defendants, KEN JENNE and WILLIAM HITCHCOCK, (hereinafter  
"Defendants"), by and through their undersigned attorneys, files this their Response to  
Plaintiff's Motion for Reconsideration and states:

1. On August 15, 2002, this Court dismissed the instant action as moot.
2. In the Court's Order, it stated that Plaintiff's speculation that he may be  
returned to the Mail Jail does not provide a real and immediate threat of repeated injury.

163  
AG

CASE NO. 00-6009-CIV-DIMITROULEAS

3. The basis of Plaintiff's Motion for Reconsideration is that this Court dismissed the instant case without reviewing the Order Transporting Inmate submitted by the Plaintiff, which he claims is proof that he will be housed again at the Main Jail.

4. Said Order merely provides that Plaintiff is to be transported to appear for trial before the Honorable William Herring on April 9, 2003. The order does not state how long Plaintiff's appearance will be required nor does it state that he will be housed at the Main Jail.

5. Moreover, April 9, 2003, is over seven (7) months away and said trial referenced in the Order may be dismissed or reset to a later date.

6. Lastly, as it is undetermined how long, if at all, Plaintiff will be housed at the Main Jail, it is merely speculative that Plaintiff will suffer repeated injury.<sup>1</sup>

WHEREFORE, Defendants respectfully request this Court deny Plaintiff's Motion for Reconsideration.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail this 30 day of August, 2002, to: **ROSS JAY LAWSON**, Pro Se Plaintiff, B726599/E1101, Baker Correctional Institute, P.O. Box 500, Sanderson, FL 32087-0500.

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<sup>1</sup>As this court previously noted, two weeks is too short a time to start receiving subscriptions. Moreover, it is unlikely that Plaintiff would even spend two weeks at the Main Jail for the case referenced in the Order Transporting Inmate.

CASE NO. 00-6009-CIV-DIMITROULEAS

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